

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE THIRTIETH DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE L.NARASIMHA REDDY

WRIT PETITION NO : 21917 of 2004

Between:

A.S.R. Murthy S/o late Lakshminarayana, Controller, APSRTC,
Tanuku Depot, West Godavari District

... PETITIONER

AND

1 The Depot Manager, APSRTC, Tanuku Depot,

West Godavari District.

2 The Depot Manager, APSRTC, Bhimavaram Depot,

West Godavari District.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue Writ of Certiorari or any appropriate Writ calling for the records relating to the Charge-Sheet-Cum-Show Cause Notice No. 01/804(01)/2004-BVRM dt 3-7-2004 issued by the 2nd respondent and quash the same by declaring as illegal, null and void and for a consequential order to set aside the impugned charge-Sheet-cum show cause notice dt 3-7-2004 in the interest of justice.

Counsel for the Petitioner: MR.K.V.L.NARASIMHA RAO

Counsel for the Respondents: MR.R.MANMADHA REDDY, (SC FOR APSRTC)

The Court made the following :

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ORDER:

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In this writ petition the charge sheet-cum-show cause notice dated 3.07.2004 issued by the second respondent is challenged by the petitioner.

The petitioner was employed as a conductor in the APSRTC. According to him, the second respondent started deducting the amount from his salary without initiating any proceedings, and when he got issued notice for such unauthorized deduction, the impugned notice dated 3.07.2004 was issued by the second respondent. He seeks to challenge the impugned proceedings on several grounds.

Heard the learned counsel for the petitioner and the learned standing counsel for the respondents.

Through the charge sheet-cum-show cause notice, the second respondent called upon the petitioner to show cause as to why necessary action shall not be taken against him for the loss of bus pass ticket blocks of denomination of Rs.2/-, amounting to Rs.15,200/-. Through the notice, the petitioner was not placed under suspension. It is not even alleged that the authority who issued the show-cause notice does not have the jurisdiction. At any rate, a final order has since been passed on 5.08.2004 holding that the petitioner is responsible and directing recovery of a sum of Rs.15,200/- from the petitioner. If the petitioner feels aggrieved by the same, he has to avail the remedy of appeal. There is no basis for interference with the impugned proceedings.

The writ petition is accordingly dismissed. No order as to costs.

30th November, 2004

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To

1 The Depot Manager, APSRTC, Tanuku Depot,

West Godavari District.

2 The Depot Manager, APSRTC, Bhimavaram Depot,

West Godavari District.

3 Two C.D.copies.